

JUDGE CARTER

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DATE FILED: FEB 03 2017

UNITED STATES OF AMERICA

: INDICTMENT

DAVID CHEE,

17th CRIM

Defendant.

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COUNT ONE
(Cyberstalking)

The Grand Jury charges:

Overview

1. From at least in or about December 2015 up to and including at least in or about July 2016, DAVID CHEE, the defendant, engaged in cyberstalking and identity theft targeting CHEE's former criminal defense attorney ("Victim-1"). Specifically, CHEE used Victim-1's personal identifying information, including Victim-1's name, to, among other things, hack into certain of Victim-1's online accounts and create a fraudulent social media account in the name of Victim-1 (the "Fraudulent Social Media Account"). During this course of conduct, CHEE created posts on online accounts in the name of Victim-1, including the Fraudulent Social Media Account, and engaged in other online communications that were intended to injure, harass, and intimidate Victim-1, including by asserting that Victim-1 bribed

judges and jurors, was a racist and an alcoholic, sexually harassed female clients and colleagues, and had gone bankrupt. This conduct caused, attempted to cause, and was reasonably likely to cause Victim-1 substantial emotional distress.

Statutory Allegations

2. The allegations set forth in paragraph 1 of this Indictment are repeated and realleged as if fully set forth herein.

3. From at least in or about December 2015 up to and including at least in or about July 2016, in the Southern District of New York and elsewhere, DAVID CHEE, the defendant, willfully, knowingly, and with the intent to injure, harass, and intimidate, used the mail, an interactive computer service and electronic communication service, an electronic communications system of interstate commerce, and a facility of interstate and foreign commerce, to engage in a course of conduct that caused, attempted to cause, and would reasonably be expected to cause, substantial emotional distress to a person, to wit, CHEE hacked into Victim-1's online accounts, created the Fraudulent Social Media Account, and repeatedly posted on various websites, harassing, false and offensive messages about Victim-1 over the Internet as part of a course of conduct that caused, attempted to cause, and was reasonably expected to cause substantial emotional distress to Victim-1.

(Title 18, United States Code, Section 2261A(2).)

COUNT TWO
(Identity Theft)

The Grand Jury further charges:

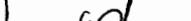
4. The allegations set forth in paragraph 1 of this Indictment are repeated and realleged as if fully set forth herein.

5. From at least in or about January 2016 up to and including at least in or about February 2016, in the Southern District of New York and elsewhere, DAVID CHEE, the defendant, did knowingly possess and use in and affecting interstate and foreign commerce, and without lawful authority, a means of identification of another person, to wit, the name of such person, with the intent to commit, and to aid and abet, and in connection with, any unlawful activity that constitutes a violation of Federal law, to wit, cyberstalking in violation of Title 18, United States Code, Section 2261A(2).

(Title 18, United States Code, Sections 1028(a)(7) and 2.)

Sam. Hunt

FOREPERSON
2/3/2017


Preet Bharara

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

DAVID CHEE,
Defendant.

INDICTMENT

17 Cr.

(18 U.S.C. §§ 2261A(2), 1028(a)(7), and
2 .)

PREET BHARARA

United States Attorney.

S. M. Stein A TRUE BILL

2/3/2017 Foreperson.

02/03/17 INDICTMENT FILED
WHEEL A - JUDGE CARTER
JUDGE PARKER
USM